

REMARKS

Reconsideration of the present application, as amended, is respectfully requested. Claims 11 and 15 have been amended. Claims 1-2, 4-5, 7-8, and 11-32 are presented for examination.

Examiner rejected claims 1-2, 4-5, 7-8, and 11-32 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,581,109 Fields et al. It is requested that the right to swear behind the above-identified reference is preserved.

Response to 102(e) Rejections

Claim 1 reads as follows:

A method for providing images to a user, comprising:

in response to a request, from a user system comprising a user color display device, **for one or more images, receiving, at a server, characterization data** for the user color display device; and
utilizing the received characterization data to provide a color-corrected version of the one or more images to the user system.

Fields discloses a scenario, where a user of the client machine runs an applet to establish a set of calibration parameters. The calibration parameters are then stored at the server, e.g., as a user profile. When a request is *later* made for a given web page hosted by the server, the server identifies the user making the request and applies the stored calibration parameters to color adjust the image as the page including that image is served. (Fields, Abstract; Fig. 3, steps 54-66; and 2: 23-30.) Thus, the calibration parameters in Fields are not being received at the server in response to a request for images. Rather, the calibration parameters in Fields have to be stored at the server already, in order for the server to color adjust the requested image. This is distinct from

“utilizing ... characterization data to provide a color-corrected version of the one or more images,” where the characterization data is received at the server “**in response to a request for one or more images,**” as recited in claim 1. Thus, Fields fails to disclose or suggest each and every element of claim 1. Therefore, claim 1 and its dependent claims are patentable in view of Fields and should be allowed.

Claim 15, as amended, recites **“inquiring of the source of the request to determine whether user color display device characterization data is available to the server, the inquiring being in response to receiving, at a server, the request to display one or more images on a user color display device.”** In Fields, in response to receiving a request from client, the server does not make any inquiries of the source of the request, but instead determines whether the calibration parameters have already been stored on the server (Fields, Fig 2; 5: 45-52). Thus, Fields fails to disclose or suggest each and every element of claim 15. Therefore, claim 15 and its dependent claims are patentable in view of Fields and should be allowed.

Conclusion

Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Elena Dreszer at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Elena B. Dreszer
Reg. No. 55,128

Customer No. 08791
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8300